



**Linda S. Adams**  
Secretary for  
Environmental Protection

# Air Resources Board

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**Mary D. Nichols, Chairman**  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)



**Arnold Schwarzenegger**  
Governor

## MEMORANDUM

**TO:** Deborah Cornez, Senior Staff Counsel  
Office of Administrative Law

**FROM:** Michael L. Terris, Senior Staff Counsel

**DATE:** June 2, 2010

**SUBJECT:** July 2009 Amendments to In-Use Off-Road Diesel Fueled Fleets  
Regulation Not Directed by Assembly Bill AB 8 2X

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This rulemaking package includes the second part of amendments approved by the Air Resources Board (ARB) on July 23, 2009. As you will recall, on December 3, 2009, (OAL Action Number: 2009-1203-05FP) ARB submitted amendments to the In-Use Off-Road Diesel Fueled Fleets Regulation that the Legislature directed ARB to adopt pursuant to Health and Safety Code section 43018.2(a), as enacted by Assembly Bill 8 2X. Subparagraph (b) of section 43018.2(b) provided that the amendments to the regulation required by section 43018.2 were exempt from the Administrative Procedure Act (APA).

The amendments included herewith are subject to the APA, and ARB is submitting them for review and approval by the Office and Administrative Law. If you have any question, please do not hesitate to call me at (916) 445-9815.

Attachments

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

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California Environmental Protection Agency